

H. R. 2472

To promote the dissemination of biomedical information through modern methods of science and technology and to prevent the duplication of experiments on live animals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 1993

Mr. TORRICELLI (for himself, Mr. ACKERMAN, Mr. JACOBS, Mr. LIPINSKI, Mr. DELLUMS, Mr. SHAYS, Mr. TOWNS, and Mr. GILMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To promote the dissemination of biomedical information through modern methods of science and technology and to prevent the duplication of experiments on live animals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

SECTION 1. This Act may be cited as the “Information Dissemination and Research Accountability Act”.

6 FINDINGS AND PURPOSE

7 SEC. 2. (a) The Congress finds that—

1 (1) the Federal Government must, for the pub-
2 lic good, bear the responsibility for making the re-
3 sults of biomedical research readily and economically
4 accessible in a form that maximizes its usefulness to
5 the research community, reviewers of research pro-
6 posals, and other individuals involved in the Federal
7 funding of research proposals;

8 (2) with the present inefficient system of stor-
9 age and dissemination of biomedical information,
10 most biomedical researchers and Federal agencies
11 cannot readily and economically obtain the full-text
12 results, current and archival, of research that has
13 been or is being performed;

14 (3) the inability of the research community to
15 obtain full-text results of such research promotes du-
16 plicative research;

17 (4) overwhelming numbers of laboratory ani-
18 mals are used in duplicative research because of the
19 research community's inability to determine what re-
20 search has been performed;

21 (5) because of a lack of funding, the National
22 Library of Medicine of the Department of Health
23 and Human Services has not met the needs of the
24 biomedical research community;

1 (6) the failure of the Federal Government to
2 fund adequately the National Library of Medicine
3 has resulted in the Library's inability to support ef-
4 fectively the creation of new information for use in
5 teaching and demonstrations, including audiovisual
6 aids and computer graphics;

7 (7) the failure of the Federal Government to
8 support adequately the storage and dissemination of
9 full-text biomedical information has been devastating
10 to the Nation's medical libraries, forcing them to
11 terminate the acquisition of costly printed material;

12 (8) the amount of biomedical information is so
13 vast and is increasing at such a rate that traditional
14 methods of information storage and dissemination
15 are no longer efficient or effective;

16 (9) modern technology, including optical video-
17 discs, can be used for storage of whole libraries of
18 full-text biomedical information in a relatively small
19 space;

20 (10) these modern technologies are easily and
21 economically reproducible for distribution to all of
22 the Nation's medical libraries for the immediate use
23 of the scientific community; and

1 (11) the benefits of developing a modern, effi-
2 cient, and economical full-text biomedical informa-
3 tion storage and dissemination system are—

4 (A) the advancement of scientific knowl-
5 edge;

6 (B) the savings to the taxpayers by pre-
7 venting duplicative research; and

8 (C) the sparing of millions of laboratory
9 animals from suffering, fear, and death in du-
10 plicative research.

11 (b) The purposes of this Act are to—

12 (1) establish a National Center for Research
13 Accountability;

14 (2) provide for a comprehensive, full-text lit-
15 erature search before the approval of Federal fund-
16 ing for any research proposal involving the use of
17 live animals;

18 (3) prevent duplicative experimentation or test-
19 ing on live animals;

20 (4) promote the advancement and use of mod-
21 ern technologies with respect to the storage and dis-
22 semination of biomedical information;

23 (5) provide, through grants, awards, and sti-
24 pends, for training of additional biomedical informa-
25 tion specialists in such modern technologies;

1 (6) make available at a reasonable cost the full-
2 text results of biomedical research, current and ar-
3 chival, to the Nation's medical libraries for use by
4 the scientific community; and

5 (7) promote the creation and use of modern
6 technologies, including audiovisual aids and com-
7 puter graphics, for teaching and demonstrations.

8 THE NATIONAL CENTER FOR RESEARCH ACCOUNTABILITY

9 SEC. 3. (a)(1) In order to create an independent cen-
10 ter to assist in eliminating duplication of effort in Federal
11 research proposals involving live animals, there is hereby
12 established a National Center for Research Accountability.

13 (2) Such Center shall be located at the National Li-
14 brary of Medicine and utilize the facilities of the Library
15 in accordance with subsection (d).

16 (b)(1) The President shall appoint twenty persons to
17 serve as members of the Center and carry out the respon-
18 sibilities of the Center as described in subsection (f). The
19 terms of such appointments shall be for a period of time
20 which the President determines is necessary to assure that
21 the members will serve long enough to provide adequate
22 continuity of effort within the Center but also provide for
23 periodic appointment of new persons as members.

24 (2) Such appointments shall be made without regard
25 to political affiliation and solely on the basis of dem-

1 onstrated ability to carry out the responsibilities of the
2 Center.

3 (3) A person appointed to the Center may be removed
4 only by the President.

5 (4) Such persons shall be experts in the biomedical
6 information sciences and, at the time of such appointment,
7 be employed by a Federal agency in a capacity which
8 qualifies them to make determinations with respect to
9 whether research proposals involving live animals are du-
10 plicative of other research efforts. In making such appoint-
11 ments, the President shall, to the extent practicable, ap-
12 point representatives from each Federal agency which
13 funds research on live animals.

14 (5) Such persons shall perform their duties at the
15 Center on a full-time basis and, while performing such du-
16 ties, shall be considered to be employees of the Federal
17 agencies which employed them at the time of their ap-
18 pointment to the Center.

19 (c)(1) The President shall appoint as the Director of
20 the Center a qualified biomedical information science ex-
21 pert who, at the time of such appointment, serves in an
22 administrative position as a Federal employee.

23 (2) Such person shall perform his or her duties on
24 a full-time basis, and while performing such duties, shall
25 be considered to be an employee of the Federal agency

1 which employed him or her at the time of the appointment
2 to the Center.

3 (3) Such appointment shall be made for a term estab-
4 lished by the President and shall be made without regard
5 to political affiliation and solely on the basis of dem-
6 onstrated ability to serve as a chief administrative officer.

7 (4) The Director may be removed only by the Presi-
8 dent.

9 (5) The Director may, to the extent approved by the
10 President and in appropriation Acts, appoint a clerical
11 staff, or to the extent approved by the President after con-
12 sultation with the Secretary of Health and Human Serv-
13 ices, the Director may utilize the clerical staff of the Na-
14 tional Library of Medicine.

15 (d) The President shall, after consultation with the
16 Secretary of Health and Human Services, provide for ade-
17 quate office space for the Center within the facilities of
18 the National Library of Medicine and, to the extent ap-
19 proved in appropriation Acts, provide for such equipment,
20 office supplies, and communications facilities and services
21 as may be necessary for the operation of the Center.

22 (e)(1) No Federal agency may carry out or fund any
23 research proposal involving live animals unless the pro-
24 posal is submitted to the Center in accordance with para-
25 graph (2).

1 (2) Following approval by a Federal agency of a re-
2 search proposal involving live animals, but prior to the
3 agency's carrying out or making a commitment to award
4 funding for such proposal, such proposal shall be submit-
5 ted by the agency to the Center to ascertain whether such
6 proposal is essentially duplicative of other research com-
7 pleted or in process.

8 (f) If the members of the Center determine, in ac-
9 cordance with guidelines prescribed by the President, that
10 such proposal is essentially duplicative of other research
11 completed or in process, no Federal funding may be uti-
12 lized with respect to such project.

13 (g) To assist in carrying out its responsibilities for
14 conducting comprehensive full-text literature searches, as
15 it makes determinations under subsection (f), the Center
16 may, to the extent approved in appropriation Acts, award
17 contracts to private entities. The President shall establish
18 rules for the purpose of precluding any conflict of interest
19 with respect to the awarding of such contracts.

20 (h) The President may appoint persons to serve,
21 without compensation, as advisors to the members of the
22 Center.

23 (i) The Center shall transmit an annual report to the
24 President and to both Houses of the Congress summariz-

1 ing action it has taken in fulfilling its responsibilities
2 under this Act.

3 MODERNIZATION OF BIOMEDICAL INFORMATION STORAGE
4 AND DISSEMINATION BY THE NATIONAL LIBRARY OF
5 MEDICINE

6 SEC. 4. (a) The National Library of Medicine shall,
7 to the extent of funds appropriated for such purposes—

8 (1) acquire, in full-text form, all biomedical in-
9 formation owned by each Federal agency or available
10 for use by Federal agencies, except information
11 which is already in the Library or which is classified
12 for reasons of national security;

13 (2) transcribe and store, in full-text form, all
14 such biomedical information acquired by the Library
15 after January 1, 1960;

16 (3) using modern technologies, make available,
17 upon request and at cost, to medical libraries all
18 full-text biomedical information in its collection;

19 (4) support, by grants and contracts, the cre-
20 ation of new information for teaching and dem-
21 onstrations, including audiovisual aids and computer
22 graphics technologies;

23 (5) make available, upon request and at cost,
24 such new teaching and demonstration information to
25 research and teaching institutions for the use of the
26 scientific community; and

1 (6) increase the number of persons trained in
2 modern methods of biomedical information storage
3 and dissemination technologies by making available
4 stipends, awards, and grants to persons engaged in
5 such training.

6 (b) For purposes of paragraphs (3) and (5) of sub-
7 section (a), the term “cost” shall mean an amount which
8 is established by the Secretary of Health and Human
9 Services in order to assure that the Federal Government
10 is reimbursed for expenses incurred in acquiring and mak-
11 ing available the information supplied pursuant to those
12 paragraphs.

13 (c) To assist in fulfilling its responsibilities, the Li-
14 brary may, to the extent approved in appropriation Acts,
15 award contracts to the private-sector data recording in-
16 dustry to improve—

17 (1) the development of modern information
18 technologies used for storage and dissemination of
19 full-text biomedical information; and

20 (2) the dissemination of full-text biomedical in-
21 formation to medical libraries for the use of the re-
22 search community.

23 (d) The Secretary of Health and Human Services
24 may appoint persons to serve, without compensation, as
25 advisers to the Library in carrying out this section.

1 (e) The Library shall transmit an annual report to
2 the Congress summarizing the progress it has made in
3 carrying out the provisions of this Act and providing a
4 statement and analysis of action to be taken by the Li-
5 brary during the year following such report.

6 DEFINITIONS

7 SEC. 5. For the purposes of this Act—

8 (1) the term “animal” means any nonhuman,
9 vertebrate animal, whether warm-blooded, or cold-
10 blooded;

11 (2) the term “agency” has the same meaning
12 given such term in section 551 of title 5, United
13 States Code;

14 (3) the term “Center” means the National Cen-
15 ter for Research Accountability established by sec-
16 tion 3(a);

17 (4) the term “Library” means the National Li-
18 brary of Medicine; and

19 (5) the term “research proposal” means any
20 proposal utilizing a scientific method of inquiry or
21 examination in seeking or establishing facts and
22 principles.

23 AUTHORIZATION OF APPROPRIATIONS

24 SEC. 6. There are authorized to be appropriated for
25 fiscal years beginning after September 30, 1993, such

1 sums as may be necessary for the purpose of carrying out
2 this Act.

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